



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



JENNIFER M. GRANHOLM  
GOVERNOR

MICHAEL P. FLANAGAN  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

August 3, 2007

**TO:** State Board of Education

**FROM:** Mike Flanagan, Chair

**SUBJECT:** Legislative Update

**BUDGET UPDATE**

The School Aid and Department of Education budgets will go before the House Appropriations Committee next week. They are expected to be reported to the floor and then passed to the Senate. Keep in mind, though, that the House budgets are based on the expectation of increased revenues through some form of tax for which there is currently no agreement between the Governor and the Senate and House leadership.

**SENATE ACTIVITY**

**HB 4591**

The House teacher certification/teacher preparation program review fees bill was on the agenda for August 1, 2007 in the Senate Education Committee. The original bill was amended to provide some assurance to several legislators and the Michigan Education Association that the fee increases to teachers to pay for the new computer system would also provide for better service to the teachers using the system. Language was added laying out the benefits expected for those using the system (online renewal of professional teaching certificates; online credit card payment capability; a central registry that documents each teacher's professional development activities and completion of state board continuing education units; etc.).

Due to the concerns expressed by Republicans about the Department of Information Technology's involvement with the database rewrite, they almost tabled the bill, effectively killing it. However, Senator VanWoerkom made a motion to refer the bill to Senate Appropriations. The motion passed. We will now be working with Senators Jelinek and Switalski to try to move the bill.

**HB 4924**

House Bill 4924 would amend the Revised School Code to prohibit a district from operating a school or any other educational program outside the district boundaries without the written permission of the district where the school or program is located.

**STATE BOARD OF EDUCATION**

KATHLEEN N. STRAUS – PRESIDENT • JOHN C. AUSTIN – VICE PRESIDENT  
CAROLYN L. CURTIN – SECRETARY • MARIANNE YARED MCGUIRE – TREASURER  
NANCY DANHOF – NASBE DELEGATE • ELIZABETH W. BAUER  
REGINALD M. TURNER • CASANDRA E. ULBRICH

608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909  
www.michigan.gov/mde • (517) 373-3324

This bill was amended to grandfather in programs in existence as of June 1, 2007. This is awaiting action before the Senate Education Committee.

### **SB 282**

Senate Bill 282 was reported from the Senate Health Policy Committee. This bill would amend the Revised School Code to provide for specific physical education requirements in K-5. Additionally, this bill would:

Eliminate a provision that allows a school district to credit a pupil's participation in extracurricular athletics or other extracurricular activities involving physical activity as meeting the Code's physical education requirement for the pupil. This is referred to as the "opt-out" provision.

Require the governing board of a public school, as part of providing the required physical education, to ensure that the school provides at least 30 minutes of physical education for all pupils at least two days per week for the entire school year, for each of grades K through five.

The Revised School Code requires each public school in the state to provide health and physical education, and requires each pupil attending public school in Michigan who is physically fit and capable of doing so to take the course. Additionally, the bill would delete the reference to "physically fit." This bill is awaiting action on the Senate floor.

## **HOUSE ACTIVITY**

### **General**

It is my understanding that the House Education Committee is working on a package of bills for a fall "back to school" roll-out. Part of this package may include the bills recommended by the Department last year related to charter schools. Those bills would address:

The windup and dissolution of charter schools; and

The ability of the Department to promulgate rules allowing the Superintendent to  
a) revoke the authority of authorizers to charter schools if not providing proper oversight, and b) recognize authorizers doing great work in providing oversight in order to encourage other authorizers to model their activities.

Additionally, Representative Tim Melton, Chair, House Education Committee, has referred to other bills that may address the amount of the foundation allowance as it relates to grade level and actual cost (less for lower grades (K-5) and more for high school); school services consolidation; and other Democratic (and State Board of Education) priorities such as mandatory kindergarten and raising the drop-out age. This is speculation based on prior experience and from comments of the Chair quoted in MIRS and Gongwer.

### **SB 549**

The House recently held a hearing on Senate Bill 549. This bill would provide for a common-calendar at the ISD level. The substitute also provides for:

Exceptions for schools on trimesters, year-round schools, those with International Baccalaureate programs, and Advanced Placement schools.

Common dates that must be determined for at least five years. The introduced version required common dates to be determined for at least ten years.

The ISD to post the common calendar on its web site.

On the floor, a new substitute was adopted that removed a provision clarifying that the calendar must be developed in cooperation with applicable school groups. The Department has requested an amendment to provide more flexibility to the Superintendent in granting waivers. This is especially needed given the goals of model high schools not focusing on seat-time requirements.

This bill passed the Senate in June (20-17). It ended up passing on a party-line vote as it is viewed as anti-labor. Labor opposes it because they view it as interfering with collective bargaining. The House is expected to take it up again soon, but it is not clear if it has the votes to pass, given labor's opposition.

#### **SB 571**

Senate Bill 571 would amend Sections 1311(8) and 1311a (8) of the Revised School Code by striking the words "the due process" and substitutes "ANY." This is mostly a technical change to bring the code into compliance with federal statute (the Office of Special Education Programs (OSEP) has previously approved this language as compliant with the federal statute). It also removes the outdated language "handicapped" and replaces it with more appropriate terms. This bill passed the Senate unanimously. It is currently awaiting action before the House Education Committee, where it is expected to move soon.

### **NEW PUBLIC ACTS**

#### **SB 70**

Senate Bill 70 was signed into law (PA 32 of 2007). This amends the Revised School Code to extend the requirement to take a three-credit course with appropriate field experiences in the diagnosis and remediation of reading disabilities and differentiated instruction before the renewal of a provisional certificate or the advancement to a professional certificate from July 1, 2007 to July 1, 2009. Extending the effective date allows more time for teacher preparation institutions to develop courses that meet the requirements specified in the law. It also allows the Department more time to review and approve the courses.

#### **SB 188**

Senate Bill 188 was signed into law (PA 45 of 2007). Senate Bill 188 provides some flexibility for using vocational education millage revenue. It also provides for reporting requirements to the department on the use of such locally raised vocational education millage revenues for local programs.